

---

---

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

---

---

FREDDIE L. WALKER, SR.,

*Plaintiff,*

v.

STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY, ET AL.,

*Defendants.*

§  
§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION 1:19-CV-132

**ORDER ADOPTING REPORT AND RECOMMENDATION**

In accordance with 28 U.S.C. § 636(b), the Local Rules for the United States District Court for the Eastern District of Texas, the District Court referred this matter to the undersigned United States Magistrate Judge for entry of recommended disposition. On February 28, 2020, Judge Giblin entered his report and recommendation (#29) recommending that the District Court grant Defendant Alfred Abraham Ascol's *Motion to Dismiss for Lack of Subject-Matter Jurisdiction*. (#19). To date, the parties have not filed objections to the report. Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court conducted a *de novo* review of the magistrate judge's report and the record in this cause. The Court agrees with the Magistrate Judge's findings and conclusions and adopts Judge Giblin's report as the findings and conclusions of the Court.

The Court therefore **ORDERS** that Judge Giblin's Report and Recommendation (#29) is **ADOPTED** and the motion to dismiss for lack of subject-matter jurisdiction (#19) is **GRANTED**. Additionally, the Court **ORDERS** that all pending motions are **TERMINATED** as **MOOT** (#17, 24, 25, 27). Finally, pursuant to Judge Giblin's recommendation, it is **ORDERED** that the

Plaintiff's claims are dismissed without prejudice. This case is **CLOSED**.

SIGNED at Beaumont, Texas, this 27th day of March, 2020.

A handwritten signature in cursive script, reading "Marcia A. Crone".

---

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE